

Article - Environment

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§9–804.

(a) In addition to the powers granted to the municipality by any general, special, or local law, and independent of any control by the Public Service Commission of Maryland, a municipality may:

(1) Subject to subsection (c)(1) of this section, engage in the development of a sewerage facility:

- (i) Wholly inside the corporate boundary line;
- (ii) Wholly outside the corporate boundary line; or
- (iii) Partly inside and partly outside the corporate boundary line;

(2) Acquire by gift, purchase, lease, or eminent domain, in connection with the development of a sewerage facility:

- (i) Land;
- (ii) Land rights; or
- (iii) Water rights;

(3) Accept from any federal agency loans or grants for the development of sewerage facilities and make agreements with that agency about the loans or grants;

(4) Operate and maintain any sewerage facility for the use and benefit of:

- (i) The municipality;
- (ii) The residents of the municipality; or
- (iii) Residences or places of business that are outside the corporate boundary line of the municipality, but are:

1. Inside this State; and

2. Inside a radius of 10 miles from the corporate boundary line of the municipality;

(5) Set rates and collect fees, benefit assessments, and other charges for the services, facilities, and commodities provided by each sewerage facility;

(6) Designate an agency of the municipality:

(i) To provide the sewerage facility services, facilities, and commodities; and

(ii) To collect the fees, benefit assessments, and other charges; and

(7) Make and perform any contract with any industrial establishment:

(i) For the municipality to provide, operate, and maintain sewerage facilities to reduce or eliminate water pollution caused by any discharge of industrial waste by the industrial establishment; and

(ii) For the industrial establishment periodically to pay to the municipality amounts determined by the governing body of the municipality to be at least sufficient to compensate the municipality for the cost of providing, operating, and maintaining the sewerage facility or the part of the sewerage facility that serves the industrial establishment.

(b) Through their governing bodies, any 2 or more municipalities may:

(1) Make and perform contracts and agreements with each other about sewerage facility:

(i) Development;

(ii) Financing; and

(iii) Operation; and

(2) Agree or contract with each other:

(i) To provide for a board, commission, or other body to supervise, operate, and generally manage the sewerage facility;

(ii) To specify the powers and duties of the board, commission, or body; and

(iii) To set the compensation of the members of the board, commission, or body.

(c) (1) A municipality may not construct a sewerage facility wholly or partly inside the corporate boundary line of another municipality except with the consent of the governing body of the other municipality.

(2) A municipality may not operate a sewerage facility:

(i) For gain or profit; or

(ii) Primarily as a source of revenue to the municipality.

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